

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SANDEEP K. RANDHAWA,	§	
	§	
Plaintiff,	§	
v.	§	
	§	Case No. 16-cv-5283
CONVERGENT OUTSOURCING,	§	
INC., and AMSHER	§	
COLLECTION SERVICES, INC.,	§	
	§	
Defendants.	§	

NOTICE OF REMOVAL

PLEASE TAKE NOTICE defendant, AmSher Collection Services, Inc. (“AmSher”), through undersigned counsel and pursuant to 28 U.S.C. §§ 1331, 1441, and 1446 *et seq.*, hereby removes this action from the Civil Court of the City of New York, County of Kings, to the United States District Court for the Eastern District of New York. In support of this Notice of Removal, AmSher states as follows:

1. On August 24, 2016, plaintiff, Sandeep K. Randhawa (plaintiff), commenced a civil action in the Civil Court of the City of New York, County of Kings, entitled and captioned *Sandeep K. Randhawa v. Convergent Outsourcing, Inc., and AmSher Collection Services, Inc.*, Case No. 014068 (hereinafter the “State Court Action”). No further proceedings before the State Court have occurred.

2. In the Complaint, plaintiff alleges statutory causes of action against AmSher under the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692, *et seq.* and the Telephone Consumer Protection Act (TCPA), 47 U.S.C. § 227, *et seq.* A true and

correct copy of plaintiff's Complaint is attached hereto as Exhibit "A." This Court has jurisdiction over the State Court Action pursuant to 28 U.S.C. § 1331 because plaintiff's Complaint alleges a cause of action arising under the laws of the United States. Because plaintiff affirmatively alleges violations of the FDCPA and the TCPA, the Complaint asserts a federal question under 28 U.S.C. § 1331 and is removable pursuant to 28 U.S.C. § 1441.

3. AmSher waived service of the Summons and Complaint on September 1, 2016.

4. The time within which AmSher is required by the laws of the United States, 28 U.S.C. § 1446(b), to file this notice of removal has not yet expired. Therefore, this Notice of Removal is timely, having been filed within 30 days of the date of service the Complaint. *See* 28 U.S.C. § 1446.

4. The Civil Court of the City of New York, County of Kings is located within the United States District Court for the Eastern District of New York. Therefore, venue for purposes of removal is proper pursuant to 28 U.S.C. § 89(b) because the United States District Court for the Eastern District of New York embraces the place in which the removed action was pending. 28 U.S.C. § 1441(a).

5. As of the date of this filing, all named defendants that have been served with the State Court Action Complaint consent to removal of the State Court Action. *See* Notice of Consent attached hereto as Exhibit "B".

6. Written notice of this Notice of Removal of this action is being immediately provided to the Civil Court of the City of New York, County of Kings. *See*

Exhibit “C” attached hereto.

7. Written notice of this Notice of Removal of this action is being caused to be served on the parties.

WHEREFORE, defendant, AmSher Collection Services, Inc., gives notice that this action is removed from the Civil Court of the City of New York, County of Kings, to the United States District Court for the Eastern District of New York.

Dated: September 22, 2016.

Respectfully Submitted,

/s/ Aaron R. Easley
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*Attorney for Defendant,
AmSher Collection Services, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2016 a copy of the foregoing was served electronically via CM/ECF on the following:

Hashim Rahman, Esq.
Rahman Legal
155 Water Street
Brooklyn, NY 11201

/s/ Aaron R. Easley
Aaron R. Easley, Esq.